

REMARKS

Claims 1-19 are pending in this case for examination. New claims 15-19 have been added to recite further inventive features of the present invention.

More specifically, bactericidal films can be added to the inside walls of endotracheal tubes to prevent the growth of infectious bacteria. Such bactericidal films are helpful because, as pointed out in Applicants' specification, infectious bacteria can aerosolize and deposit in the patient's lungs, leading to such conditions as ventilator-associated pneumonia (see, specification p. 2, lns. 1-5).

During the course of their work on the present invention, Applicants discovered that conventional techniques for removing mucus from the inside walls of endotracheal tubes can undermine the effectiveness of bactericidal films. For example, where suctioning is used to remove mucus deposits, the suction catheter tends to miss a number of accumulated mucus deposits. The inventors believe that these missed mucus deposits significantly degrade their adjoining bactericidal films. Similarly, if an abrasive endotracheal tube cleaning apparatus is used to remove mucus deposits, the abrasive cleaning apparatus will tend to remove both the mucus deposit and the bactericidal film. By contrast, in Applicants' invention, the mucus layer is efficiently shaved away without significantly damaging the bactericidal film. Support in Applicants' specification for the bactericidal film protective mechanism of Applicants' invention can be found at page 5, lines 23-26.

Finally, Applicants note that, at the time present application was filed, the unsigned formal patent application documents named only Dr. Theodor Kolobow as an inventor. During the course of trying to obtain executed signatures on the formal patent application documents, Applicants' undersigned attorney discovered that Dr. Lorenzo Berra was a co-inventor. Accordingly, Applicants' undersigned attorney has prepared new formal patent application documents naming both Drs. Kolobow and Berra as inventors, has had those documents executed by the inventors and is concurrently submitting those correctly executed documents in response to the May 7, 2004 "Notice To File Missing Parts Of Nonprovisional Application."

Appl. No. 10/773,570
Amdt. dated August 18, 2004
Preliminary Amendment

PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 576-0200.

Respectfully submitted,



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